

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION**

B. GARY DAY,

PLAINTIFF

v.

**WALTER EDWARD FRENCH, III;
CHRISTOPHER B. FRENCH; JOHN
FLORY; AND JEROME SHORT,**

DEFENDANT

CASE NO. 3:06CV260-VPM

JURY TRIAL DEMANDED

MOTION TO WITHDRAW

COMES NOW the undersigned, Kenneth L. Funderburk, and moves to withdraw as Counsel for the Defendant, Jerome Short. In support thereof the undersigned states that his services are no longer needed in conjunction with this matter.

This 15th day of May, 2006.

FUNDERBURK, DAY & LANE

BY: s/Kenneth L. Funderburk
Counsel for Defendant, Jerome Short
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ASB-8636-D61K
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CERTIFICATE OF SERVICE

I hereby certify that on May 15, 2006, I have electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the other counsel of record.

s/Kenneth L. Funderburk
Counsel for Defendant, Jerome Short